2008 Nov-19 PM U.S. DISTRICT COURT N.D. OF ALABAMA

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

DEREK BERNARD PAIGE,)
Petitioner,)
v.) CV 08-AR-37-S
ATTORNEY GENERAL FOR THE STATE OF ALABAMA,)
Respondents.)

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on October 29, 2008 recommending that the petition for writ of habeas corpus be dismissed as untimely. On November 14, 2008 petitioner filed objections to the findings and recommendation.

Having carefully reviewed and considered de novo all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DISMISSED as untimely. A Final Judgment will be entered.

As to the foregoing it is SO ORDERED this the 19th day of November, 2008.

UNITED STATES DISTRICT JUDGE